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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 10-0449 MMC
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
OSCAR ALCOCER,)	
)	
)	
Defendant.)	
_____)	

The parties are currently scheduled to appear for possible change of plea or trial setting, on January 19, 2011. The parties will not be available on that date and respectfully request the matter be continued until January 26, 2011. The parties stipulate that the time between January 19 and January 26, 2011 is excludable under the speedy trial act, 18 U.S.C. § 3161(h)(7)(B)(iv), for effective preparation of counsel.

1 The parties also agree that the ends of justice served by granting such a continuance
2 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
3 3161(h)(7)(A).

4 SO STIPULATED:

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6 MELINDA HAAG
United States Attorney

8 DATED: January 12, 2011

9
10 /s/
BENJAMIN P. TOLKOFF
Assistant United States Attorney

11 DATED: January 12, 2011

12 /s/
LOREN STEWART
Attorney for OSCAR ALCOCER

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14 For the reasons stated above, this matter is continued from January 19 to January 26,
15 2011. The Court finds that the exclusion of time between January 19 and January 26, 2011, is
16 warranted and that the ends of justice served by the continuance outweigh the best interests of the
17 public and the defendant in a speedy trial. 18 U.S.C. §3161 (h)(7)(A). The failure to grant the
18 requested continuance would deny the defendant effective preparation of counsel, and would
19 result in a miscarriage of justice. 18 U.S.C. §§ 3161(h)(7)(B)(iv).

20
21 SO ORDERED.

22 DATED: January 14, 2011

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HONORABLE MAXINE M. CHESNEY
United States District Judge